

REMARKS

Claims 1, 5, 7-11, 15, 17-21, 25 and 27-35 are pending in the current application. Claims 1, 11, 21, 31 and 32-35, the independent claims, have been amended. Claims 2-4, 6, 12-14, 16, 22-24 and 26 have been cancelled without prejudice. Favorable reconsideration is respectfully requested.

Claims 1-35 were rejected under 35 U.S.C. § 103 over Lee et al. (US Patent No. 6,601,101) in view of Davies et al. (U.S. Patent No. 6,108,701). Applicants submit that the amended independent claims are patentable for at least the following reasons.

Independent claim 1 has been amended, inter alia, to be more explicitly directed to a file server, in particular, by the addition of the subject matter of now-cancelled claims 4 and 6. Independent claims 11, 21, and 31-35 have all been similarly amended.

Claim 1, as amended, recites that the state information acquirer inquires at the first information processing device or the second information processing device about object identifying information which identifies respective accessing objects on the first information processing device, with respect to a plurality of accessing objects. That is, the object identifying information is information for identifying files stored in server. It is not information for identifying servers themselves.

In the Office Action, the Examiner took the position that the recited “object identifying information” corresponds to the Virtual IP address in Lee. This is incorrect. The Virtual IP address in Lee directly represents a server, rather than identifying files stored on servers, as in claim 1. Thus, amended claim 1 is believed clearly patentable over Lee. Davies, discussed in the previous response, does not remedy the abovementioned deficiency of Lee as a reference against amended claim 1.

In the independent claims, an intermediate device extracts a regularity common to a plurality of items of object identifying information and uses the regularity as information to decide a

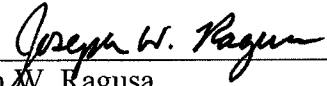
transfer destination. When the intermediate device nullifies and reestablishes a session as in claim 1, the “object identifying information” is the only clue to the decision of a transfer destination server. According to the claims, the object identifier information, in requests from clients, is used indirectly to decide transfer the destination. Especially for a file system, the intermediate device may not be able to decide a transfer destination appropriately if only a “virtual IP address that directly represents the server is used, as in Lee. The other independent claims have been amended in a manner similar to amended claim 1 and are believed patentable for substantially similar reasons.

The dependent claims are believed patentable for at least the same reasons as their respective base claims and are likewise allowable.

In view of the foregoing, favorable consideration and allowance of the present application is respectfully requested.

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Respectfully submitted,

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